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7 *(Ret.), Trustee of the PG&E Fire Victim Trust*

8 **UNITED STATES BANKRUPTCY COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10 **In re:**
11 **PG&E CORPORATION**

12 **-and-**

13 **PACIFIC GAS AND ELECTRIC**
14 **COMPANY,**

15 **Debtors.**

- 16 ☐ Affects PG&E Corporation
17 ☐ Affects Pacific Gas and Electric Company
18 ☒ Affects both Debtors

19 **All papers shall be filed in the Lead Case,*
20 *No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**NOTICE OF THE FIRE VICTIM
TRUSTEE'S [PROPOSED] ORDER
COMPELLING
PRICEWATERHOUSECOOPERS LLP'S
COMPLIANCE WITH RULE 2004
SUBPOENA**

1 Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy**
2 **Rules**”) and Local Bankruptcy Rule 2004-1(a), this Court entered an order on March 24, 2020
3 authorizing service of a subpoena on PricewaterhouseCoopers LLP (“**PwC**”) for the production of
4 certain categories of documents and information, including: (1) “All Documents that constitute
5 and/or memorialize any and all contracts and/or work agreements between [PwC] and PG&E, for
6 the time period 2013 to the present” and (2) “All Documents that constitute and/or memorialize any
7 and all reports, analyses, summaries, or descriptions of [PwC’s] work for PG&E, for the time period
8 2013 to the present.” Dkt. No. 6351-2 at 8 (requests for production Nos. 1 and 3).¹ A subpoena
9 subsequently issued and was served on PwC.

10 On June 11, 2021, the Honorable John K. Trotter (Ret.), in his capacity as the Fire Victim
11 Trustee (the “**Trustee**”), requested a discovery conference to address PwC’s failure to produce
12 certain documents pursuant to that subpoena. An initial discovery conference was held on July 16,
13 2021, at which the Court instructed the parties to continue meeting and conferring, to submit a joint
14 status report no later than August 2, 2021, and to attend a second discovery conference, if necessary,
15 on August 5, 2021. On August 2, 2021, the Trustee submitted a status report stating that the parties
16 had been unable to reach agreement as to the Trustee’s requests for:

- 17 1. Documents sufficient to identify all of PwC’s contracts with PG&E during
18 the time period 2013 through March 17, 2020;
- 19 2. PwC’s deliverables relating to the **Community Wildfire Safety Program**
20 (“**CWSP**”), meaning PwC’s work product generated in connection with

21 ¹ As defined by the subpoena, “Documents” means:

22 [E]ach written, typed, printed, recorded, transcribed, taped, electronically stored,
23 digitized, disked, filmed, or graphic matter of every kind, however produced or
24 reproduced, including originals or copies of originals not in existence or available,
25 all drafts or partial copies, wherever located, and including all Electronic Data,
26 correspondence, letters, emails, memoranda, requests for information, reports,
27 studies, tests, inspections, working papers, handwritten notes, diaries, charts,
28 spreadsheets, photographs, sketches, drawings, blueprints, videos, graphs, indices,
submittals, data sheets, databases, conversations, statements, minutes, notations
(including notes or memorandum of conversations), telephone conversations in
whatever form, suggestions, comments, instructions, warnings, notices, manuals,
periodicals, pamphlets, brochures, catalogues, bulletins, schedules, invoices, and
other documentation.”

Dkt. No. 6351-2 at 5.

1 that engagement, including advice, recommendations, analysis, and/or
2 reports to PG&E, during the time period 2013 through March 17, 2020;

- 3 3. PwC's deliverables relating to the **Public Safety Power Shutoff program**
4 (**"PSPS"**), meaning PwC's work product generated in connection with that
5 engagement, including advice, recommendations, analysis, and/or reports
6 to PG&E, during the time period 2013 through March 17, 2020; and
7
8 4. PwC's deliverables relating to the **EPC Cross-Cutting program ("EPC**
9 **CC")**, meaning PwC's work product generated in connection with that
10 engagement, including advice, recommendations, analysis, and/or reports
11 to PG&E, during the time period 2013 through March 17, 2020; and
12
13 5. PwC's deliverables relating to the **General Rate Case ("GRC")**, meaning
14 PwC's work product generated in connection with that engagement,
15 including advice, recommendations, analysis, and/or reports to PG&E,
16 during the time period 2013 through March 17, 2020.

17 Email from S. Kilgore to L. Parada (Aug. 2, 2021 at 11:18 a.m. PDT) at 1 (bold in original).

18 On August 5, 2021, the parties attended a second discovery conference, at which all parties
19 agreed to submit letter briefs, no more than five pages in length, regarding the Trustee's request for
20 deliverables relating to the GRC (item No. 5 in the Trustee's status report). The parties further
21 agreed to meet and confer regarding a proposed order addressing the Trustee's requests for:
22 (1) documents sufficient to identify PwC's contracts with PG&E, such as a list of all such contracts
23 during the relevant time period (item No. 1 in the Trustee's status report); and (2) PwC's deliverables
24 relating to the CWSP, PSPS, and EPC CC (item Nos. 2 through 4 in the Trustee's status report).
25 The parties have since met and conferred but have been unable to reach agreement regarding the
26 content of any proposed order.

27 The Trustee therefore respectfully submits the proposed order attached hereto as **Exhibit A**,
28 and respectfully requests that the Court enter an Order in the form proposed by the Trustee.

DATED: August 9, 2021

GREENBERG GROSS LLP

By: /s/ Sarah Kelly-Kilgore

Evan C. Borges

Sarah Kelly-Kilgore

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